

**APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 08 1997  
Returned to applicant for correction AUG 27 1997  
Corrected application filed SEP 05 1997  
Map filed SEP 05 1997 under 63312

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The applicant International Silica Corporation, hereby make application for permission to change the Place of Use of water heretofore appropriated under Permit No. 62693

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1. The source of water is an underground source in the Black Mountain Basin
2. The amount of water to be changed 78.63 MGA not to exceed 0.33 cfs
3. The water to be used for mining purposes
4. The water heretofore permitted for mining purposes
5. The water is to be diverted at the following point (No Change) within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 29, Township 20 South, Range 64 East, M.D.B.&M. at a point from which the Southeast corner of said Section 29 bears South 19° East 1,900 feet.
6. The existing permitted point of diversion is located within N/A
7. Proposed place of use within the SW $\frac{1}{4}$  Section 8; all of Section 17; the NW $\frac{1}{4}$  and the N $\frac{1}{2}$  NE $\frac{1}{4}$  of Section 20; all within Township 20 South, Range 64 East, M.D.B.&M.
8. Existing place of use within the SE $\frac{1}{4}$  NE $\frac{1}{4}$ ; the NE $\frac{1}{4}$  SE $\frac{1}{4}$ ; the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , all within Section 29, Township 20 South, Range 64 East, M.D.B.&M.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works Existing wells and pumps, via pipeline to temporary storage pond
12. Estimated cost of works \$75,000.00
13. Estimated time required to construct works 2 years
14. Estimated time required to complete the application of water to beneficial use 3 years
15. Remarks: Water is to be used for mining and milling purposes; estimated consumptive use is 400 ac. ft. per year. Water under this permit is to be co-mingled with water under Permit No. 62692

Stephen F. Turner, Agent  
By s/Stephen F. Turner  
1210 Hinson Street  
Las Vegas, Nevada 89102

Compared my/BK lw/cms

Protested \_\_\_\_\_

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 62693 is issued subject to the terms and conditions imposed in said Permit 62693 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 62691, 62692, 63312 and 63313 shall not exceed 1,327.275 acre-feet annually.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.33 cubic foot per second, but not to exceed 241.32 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Application of water to beneficial use shall be filed on or before:

October 2, 1999

Proof of the application of water to beneficial use shall be filed on or before:

November 2, 1999

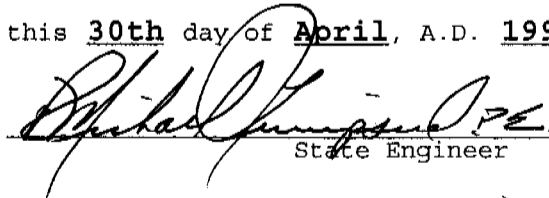
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 30th day of April, A.D. 1998

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_